

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BAKAI MARAT-UULU.,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

17-CR-350 (LAP)

20-CV-575 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

On April 18, 2022 the Court denied Petitioner's motion to vacate his sentence pursuant to 28 U.S.C. § 2255. (Dkt. no. 1393.) In doing so, the Court relied on a statement from Petitioner's former attorney, Jeremy M. Iandolo. (Id. at 2 (citing Mr. Iandolo's statement (dkt. no. 1390)).)


On May 2, 2023, the Court received the Court of Appeals' mandate vacating that order and remanding because the Court relied on Mr. Iandolo's statement, which was an unsworn statement. (Dkt. no. 1407.) The Court of Appeals directed the Court to "either obtain a sworn statement from [Petitioner]'s former attorney or conduct an evidentiary hearing as to whether [Petitioner] asked his counsel to file a notice of appeal." (Id.)

The Court therefore requests that Mr. Iandolo resubmit his May 15, 2022 statement (dkt. no. 1390) as an affidavit or affirmation under penalty of perjury by May 24, 2023.

The Clerk of the Court shall mail a copy of this order to
Mr. Marat-Uulu.

SO ORDERED.

Dated: May 3, 2023
New York, New York



LORETTA A. PRESKA
Senior United States District Judge